



General Assembly

**Substitute Bill No. 134**

February Session, 2016



**AN ACT CONCERNING WORKERS' COMPENSATION COVERAGE  
FOR POLICE OFFICERS AND FIREFIGHTERS WHO ARE DIAGNOSED  
WITH POST-TRAUMATIC STRESS DISORDER.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (16) of section 31-275 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *January 1, 2016, and applicable to the visual witnessing of a death, or the*  
4 *immediate aftermath of a death, occurring on or after said date*):

5 (16) (A) "Personal injury" or "injury" includes, in addition to  
6 accidental injury that may be definitely located as to the time when  
7 and the place where the accident occurred, an injury to an employee  
8 that is causally connected with the employee's employment and is the  
9 direct result of repetitive trauma or repetitive acts incident to such  
10 employment, and occupational disease.

11 (B) "Personal injury" or "injury" shall not be construed to include:

12 (i) An injury to an employee that results from the employee's  
13 voluntary participation in any activity the major purpose of which is  
14 social or recreational, including, but not limited to, athletic events,  
15 parties and picnics, whether or not the employer pays some or all of  
16 the cost of such activity;

17 (ii) A mental or emotional impairment, unless such impairment (I)  
18 arises from a physical injury or occupational disease, (II) in the case of  
19 a police officer, arises from such police officer's use of deadly force or  
20 subjection to deadly force in the line of duty, regardless of whether  
21 such police officer is physically injured, provided such police officer is  
22 the subject of an attempt by another person to cause such police officer  
23 serious physical injury or death through the use of deadly force, and  
24 such police officer reasonably believes such police officer to be the  
25 subject of such an attempt, [or] (III) in the case of a firefighter, is  
26 diagnosed as post-traumatic stress disorder by a licensed and board  
27 certified mental health professional, determined by such professional  
28 to be originating from the firefighter witnessing the death of another  
29 firefighter while engaged in the line of duty and not subject to any  
30 other exclusion in this section, or (IV) in the case of a police officer or  
31 firefighter, is diagnosed as post-traumatic stress disorder by a licensed  
32 and board certified mental health professional, determined by such  
33 professional to be originating from the police officer or firefighter  
34 visually witnessing the death of a human being, or the immediate  
35 aftermath of such death, provided the visual witnessing of such death  
36 or the aftermath of such death occurred while the police officer or  
37 firefighter was engaged in the line of duty. As used in this clause,  
38 "police officer" means a member of the Division of State Police within  
39 the Department of Emergency Services and Public Protection, an  
40 organized local police department or a municipal constabulary,  
41 "firefighter" means a uniformed member of a municipal paid or  
42 volunteer fire department, [and] "in the line of duty" means any action  
43 that a police officer or firefighter is obligated or authorized by law,  
44 rule, regulation or written condition of employment service to  
45 perform, or for which the police officer or firefighter is compensated  
46 by the public entity such officer serves, and "immediate aftermath"  
47 means the scene at which such death occurred for a period of time not  
48 to exceed six hours after such scene is secured by law enforcement  
49 officers;

50 (iii) A mental or emotional impairment that results from a personnel

51 action, including, but not limited to, a transfer, promotion, demotion  
52 or termination; or

53 (iv) Notwithstanding the provisions of subparagraph (B)(i) of this  
54 subdivision, "personal injury" or "injury" includes injuries to  
55 employees of local or regional boards of education resulting from  
56 participation in a school-sponsored activity but does not include any  
57 injury incurred while going to or from such activity. As used in this  
58 clause, "school-sponsored activity" means any activity sponsored,  
59 recognized or authorized by a board of education and includes  
60 activities conducted on or off school property and "participation"  
61 means acting as a chaperone, advisor, supervisor or instructor at the  
62 request of an administrator with supervisory authority over the  
63 employee.

64 Sec. 2. Section 31-294h of the general statutes is repealed. (*Effective*  
65 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2016, and applicable to the visual witnessing of a death, or the immediate aftermath of a death, occurring on or after said date</i>	31-275(16)
Sec. 2	<i>from passage</i>	Repealer section

**LAB**      *Joint Favorable Subst.*